

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

T.J. and C.J., on behalf of their minor child B.J.

Plaintiffs,

v.

Case No. 1:12-CV-00565-RB-LFG

Danny Pacheco, et al.,

Defendants.

AFFIDAVIT OF BILLY JONES

I, Billy Jones, state under oath and penalty of perjury:

1. I started Espanola High as a freshman in January, 2010.
2. I got on the bus one morning to go to school.
3. Some guy got on the bus and sat right behind me; he started kicking the seat.
4. I kind of looked back saying like, dude, stop. He kept kicking, and then a couple of minutes later, got up, pulled me by the head and stuff and just started pounding my face.
5. I crouched down, trying to cover my face. He pulled my hair and hit me in the head and face.
6. I spent the rest of the Spring Semester of 2010 at Espanola Military Academy.
7. In the Fall of 2010, I attended the 10th grade at Espanola Valley High School because the military school closed.
8. I had a biology class at Espanola High School. A student in the class was a friend of the boy who beat me in January, 2010.

9. The student in biology would look at me and say, “Hey Billy, did you ever get beat up, huh? How was it? Hey, you want to come fight me too? You want a piece of me?” He was constantly verbally antagonizing me.
10. I told my mom about everything, and my mom said—my mom said, “Write a list down of names that people are bugging you. We’ll take it to the principal’s office; tell them to get them straight and everything.”
11. So the next day I start writing down the kids that were bugging me—I mean, that were like bullying me.
12. What I was doing was listing down the names of people who bugged me. On the top I wrote “list for hell.” I didn’t intend hell as death, just as an end to what they were doing.
13. The names included the boy in biology. There was also his girlfriend.
14. I liked art. I made clay figures. I would make little whales and other animals. I made a little Spongebob, the Fat Albert characters.
15. I’m good at art. I wanted to make movies like claymation, animation or maybe real live movies.
16. I like to watch lots of horror movies.
17. I used to draw people killing people; like I saw on Friday the 13th, or Nightmare on Elm Street. One day where I wanted to create a movie, so I wrote down the storyboards.
18. The storyboards were something I worked on at home. I would carry them in my backpack.

19. They storyboards depicted people with decapitated heads, little tombstones, stuff like saying "rest in peace," but not anything like a threat, just imagination.

20. On September 7, 2010, I was called to the office by security guards and my backpack was searched. They found my drawings.

21. If I remember again, it was—there was Danny Pacheco, the security officer, there was my mom. The only time I remember I think my dad was on speaker phone. And I can't remember the last name of this person, but there was an officer named Christian.

22. They never asked me about anyone named Samantha Madrid. They never showed me what they say is a note from her. I never threatened Samantha Madrid.

23. A psychologist came to talk to me and the psychologist was the one who asked me questions about would I hurt myself.

24. They called an ambulance for me and I went.

25. I can't really remember any names or anything, but all I remember is there was a girl psychologist person, I think. And she evaluated me and they said it was all good, you're ready to go. And that night, I found out---I was trying to call my girlfriend, of course, seeing if she would---see if she finally wanted to come pick me up. She said no.

26. I spent the night in the hospital.

27. In the morning, my mom and uncle picked me up.

28. I remember the police came to my house the next day and asked me how I was doing. I said "good". They said they were just checking on me.

29. I went to a counseling appointment. The police came and drove me to a jail in Santa Fe.

30. I was thinking in my head, why are they putting me in a cell, I'm not dangerous. I stayed there like maybe---like lots of hours, like six, seven hours. After that, that Christian guy---I can't remember his last name, of course---he came, saying like, "Okay, Billy, we're going to take you to the Santa Fe youth jail to get you help."

FURTHER AFFIANT SAYETH NOT.

Signed: Billy Jones
Billy Jones

STATE OF)
)ss.
COUNTY OF RIO ARRIBA)

SUBSCRIBED AND SWORN TO before me this 9th day of April, 2013 by Billy Jones.

Notary Public

My Commission Expires:

7/3/16

